

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: February 13, 2014

Agenda Item: Commercial Use Fee Rule

Division: Fisheries

Action Needed: Final Action

Time Needed on Agenda for this Presentation: 10 minutes

Background

At its December meeting, the Fish & Wildlife Commission proposed a Commercial Use Fee Rule. The commercial use fee rule establishes the permit fees for conducting commercial use on land under the jurisdiction of the commission, e.g., fishing access sites and wildlife management areas (State Parks has its own commercial use fee rule). The rule proposed by the commission included changes for the purpose of simplifying the fee system.

Public Involvement Process & Results

FWP received a total of 10 comments (original comments provided to commission). A summation of the comments follows:

- General support for proposed simplifications
- Request for further simplification of fees
- Support for paying fees but desire for outfitting industry to have more representation in management and policy decision-making
- Keep FAS Permit at \$100 per year
- Eliminate FAS Permit for guides
- Eliminate the FAS Permit for guides and double the FAS Permit fee for outfitters
- Retain flat fees, opposition to fees based on percentage of unadjusted income

Alternatives and Analysis

One option is for the commission to adopt all of the proposed changes, which are intended to simplify the current fee system. Another option is for the commission to adopt a final rule that reflects some of the concerns identified in the comment period.

Agency Recommendation & Rationale

FWP recommends that the commission rescind its proposal to change the fees for non-water based guided tours and trips. The proposed changes were intended to simplify the fee system but have generated concerns from commercial users. FWP also recommends that the commission rescind the proposal to eliminate the fee for a statewide permit to conduct still photography and filming. This proposed change may still be warranted in the future when the commission evaluates the commercial use administrative rules. FWP notes that the comments pertaining to the FAS Permit requirements could also be considered when evaluating administrative rules. FWP is providing the commission with a copy of its recommendations for a final commercial use fee rule.

Proposed Motion

I move that the commission adopt a final commercial use fee rule for commercial use on FWP land under the authority of the Fish & Wildlife Commission, to include the changes recommended by the department.